



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes:** OPR, MND, MNDC, MNR, FF

### **Introduction**

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for an order of possession and for a monetary order for unpaid rent, for the cost of repairs and for the filing fee. The landlord attended the hearing, but the tenant did not.

The landlord could not recall the date that he served the tenant with the notice of hearing package. The landlord also added that he was at work and did not have his documents with him. The landlord also agreed that he had not uploaded any evidence to his electronic file as he was informed that he only needed to have the documents in his possession during the hearing.

In the absence of proof of service of the hearing package to the respondent and in the absence of a copy of the notice to end tenancy, I am unable to determine the validity of the notice to end tenancy and whether the tenant was served with the hearing package.

Based on the verbal testimony of the landlord, I find that it is appropriate for me to dismiss his monetary claim with leave to reapply. The landlord is at liberty to serve another notice to end tenancy and make application for an order of possession.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: April 15, 2019

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Residential Tenancy Branch